

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Endress et al.

Application Serial No.: unassigned Art Unit: unassigned

Filed: Herewith Examiner: unassigned

For: Prostate Specific Secreted Protein Atty. Docket No.: PF457D1

PRELIMINARY AMENDMENT

Commissioner For Patents
Washington, D.C. 20231

Sir:

Prior to examination, Applicants respectfully request entry of the following amendments and remarks. Please amend the application as follows.

In the specification:

Please substitute the attached 3 sheets of formal drawings (Figures 1-3) for the corresponding drawings in the original specification.

At page 1, after the title, insert the following new paragraph:

--This application is a divisional of and claims priority under 35 U.S.C. § 120 to U.S. Application Serial No. 09/280,839 (now allowed), which claims the benefit of priority under 35 U.S.C. 119(e) of U.S. Provisional Application Serial No. 60/080,311, filed April 1, 1998, and U.S. Provisional Application Serial No. 60/080,898, filed April 7, 1998, each incorporated herein by reference in its entirety.--

In the claims:

Please cancel claims 1-23 without prejudice or disclaimer.

Please add the following new claims:

1. A method of canceling claims in a patent application, comprising:
receiving a request to cancel claims in a patent application;
determining whether the request is for claims 1-23;
if the request is for claims 1-23, canceling the claims;
if the request is not for claims 1-23, not canceling the claims;
and
adding new claims to the patent application.

24. (New) An isolated protein comprising an amino acid sequence selected from the group consisting of:

- (a) amino acids +2 to +178 of SEQ ID NO:2;
- (b) amino acids +1 to +178 of SEQ ID NO:2;
- (c) the amino acid sequence of the full length polypeptide encoded by the cDNA clone contained in ATCC Deposit No. 209664; and
- (d) the amino acid sequence of the polypeptide encoded by the cDNA clone contained in ATCC Deposit No. 209664, except wherein the N-terminal methionine is deleted.

25. (New) The isolated protein of claim 24 which comprises amino acid sequence (a).

26. (New) The isolated protein of claim 24 which comprises amino acid sequence (b).

27. (New) The isolated protein of claim 24 which comprises amino acid sequence (c).

28. (New) The isolated protein of claim 24 which comprises amino acid sequence (d).

29. (New) The isolated protein of claim 24 wherein the amino acid sequence further comprises a heterologous polypeptide.

30. (New) The isolated protein of claim 29 wherein the heterologous polypeptide is the Fc domain of immunoglobulin.

31. (New) A composition comprising the isolated protein of claim 24.

32. (New) A protein produced by a method comprising:

- (a) culturing a host cell under conditions suitable to produce the isolated protein of claim 24; and
- (b) recovering the protein from the host cell culture.

REMARKS

The specification has been amended to substitute formal drawings for the originally filed Figures 1-3, and to add the priority claim at paragraph 1.

Claims 1-23 have been cancelled in favor of new claims 24-32, which find support in the claims and throughout the specification as originally filed.

More particularly, support for new claims 24-28 is found, for example, at page 6, lines 19-25 of the specification, and in originally filed claims 11 and 12. Support for new claims 29-30 is found, for example, at page 22, lines 18-33 of the specification. Support for new claim 31 is found, for example, at page 50, line 28 through page 51 line 18 of the specification. Support for new claim 32 is found, for example, at pages 29-31 of the specification, and in originally filed claim 16.

Therefore, no new matter has been added.

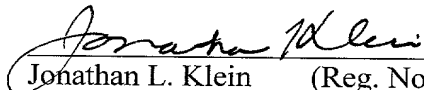
CONCLUSION

Applicants respectfully request that the above-made amendments and remarks be entered and made of record in the file history of the instant application. Applicants believe that this application is in condition for substantive examination. If in the opinion of the Examiner, a telephone conference would expedite prosecution, the undersigned can be reached at the telephone number indicated below.

If there are any fees due in connection with the filing of this paper, please charge the fees to Deposit Account No. 08-3425.

Respectfully submitted,

Dated: Jan. 25, 2002


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